

EXHIBIT 2

Complaint

Wealthy Inc., et al. v. John Mulvehill, et al.,

Case No. 2:22-cv-00740-JCM-EJY

(Dist. NV, filed May 9, 2022)

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17 *Dale Buczkowski*

18
19 **UNITED STATES DISTRICT COURT**
20
21 **DISTRICT OF NEVADA**

22 WEALTHY INC. and DALE
23 BUCZKOWSKI,

24 v.
25 Plaintiffs,

26 JOHN MULVEHILL, JOHN ANTHONY
27 LIFESTYLE, LLC, and OPTIMIZED
LIFESTYLE LLC

28 Defendants.

Case No.:

COMPLAINT

29 Plaintiffs Wealthy Inc. ("Wealthy") and Dale Buczkowski (collectively, "Plaintiffs"), by
30 and through their undersigned counsel, Culhane Meadows PLLC and Peterson Baker, PLLC,
31 hereby file this complaint against Defendants John Mulvehill, John Anthony Lifestyle, LLC, and
32 Optimal Lifestyle, LLC ("Defendants"), and in support thereof aver as follows:

33
34 **JURISDICTION AND VENUE**

35 1. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §
36 1331 (federal question), § 1332 (diversity jurisdiction), § 1367 (supplemental jurisdiction) and
37 under the Lanham Act, 15 U.S.C. §§ 1121(a) and 1125(a)(1)(B).

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2. With respect to diversity jurisdiction, Plaintiffs and Defendants are residents of different states, and the amount in controversy exceeds \$75,000.

3. With respect to the state law claims, this court has related claim jurisdiction pursuant to 28 U.S.C. §§ 1338(b) and 1367.

4. This Court has personal jurisdiction over Defendants because Defendants conduct business and/or caused harm and tortious injury in this judicial district.

5. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b) and (c).

PARTIES

6. Wealthy is a corporation organized under the laws of the State of Texas with a principal place of business located in Houston.

7. Mr. Buczkowski is a resident of Incline Village, Nevada.

8. Upon information and belief, John Mulvehill is a U.S. citizen who currently resides in Brazil.

9. Upon information and belief, John Anthony Lifestyle, LLC is organized under the laws of Wyoming and has a principal place of business in New York.

10. Upon information and belief, Optimal Lifestyle, LLC is organized under the laws of Wyoming, and has a principal place of business in New York.

11. Mr. Mulvehill conducts business in Las Vegas, Nevada. For example, on information and belief, Mr. Mulvehill conducted a bootcamp in Las Vegas, Nevada from September 3rd to 6th, 2021 (Labor Day Weekend).

FACTUAL BACKGROUND

WEALTHY AND DEREK MONEYBERG

12. Mr. Buczkowski graduated from the University of Chicago Booth School of Business with a Masters of Business Administration (MBA) degree in 2015. An image of his diploma is annexed as Exhibit A.

13. While at the Booth School of Business, Mr. Buczkowski earned the Dean's Prize for Building the Chicago Booth Brand. An image of the award trophy is annexed as Exhibit B. An image of the Chicago Booth School Dean (Sunil Kumar) presenting the award to Mr. Buczkowski

1 is annexed as Exhibit C. A picture of the Assistant Dean (George Andrews) with Mr. Buczkowski
 2 celebrating his receiving the award is annexed as Exhibit D.

3 14. Mr. Buczkowski graduated with a bachelors' degree in business management and
 4 administration (BMA) from Bradley University with honors in 2005. An image of his academic
 5 achievement award from Bradley University is annexed as Exhibit E.

6 15. Mr. Buczkowski had previously served as an Executive Coach and member of the
 7 Board of Directors of Real Social Dynamics, the world's largest dating coaching company, since
 8 November 2003.

9 16. Mr. Buczkowski is the President and Co-Founder of Larson Consulting, founded in
 10 2011, which is dedicated to helping leaders solve critical strategic issues, accelerate growth, and
 11 improve the reputation and brand of their organizations in the context of strongly held values.

12 17. Wealthy is a leading entrepreneurship, finance, business, real-estate and self-
 13 improvement company owned and operated by Mr. Buczkowski, who operates the business under
 14 the federally registered trademark, Derek Moneyberg®.

15 18. Wealthy offers several training programs to its clients.

16 19. Wealthy offers three entry level programs entitled Moneyberg® Mentoring, Markets
 17 Mastery, and Real Estate Riches. These programs focus on entrepreneurship, financial markets, and
 18 real-estate investing. These programs are currently offered at \$5,000 each.

19 20. Wealthy also offers its clients a program entitled Mastermind Network, which
 20 currently requires a \$20,000 initiation fee and a \$5,000 annual renewal fee. This program provides
 21 a monthly coaching call and a forum for top students to network and exchange ideas in a high value
 22 environment.

23 21. Wealthy also offers 1-ON-1 Training with Derek Moneyberg® which is currently
 24 offered at prices starting at \$60,000 and including prices of \$75,000 or more, for well qualified
 25 applicants.

26 22. Wealthy actively markets its courses on various social media channels, including
 27 YouTube, LLC (Derek Moneyberg), Instagram (@derekmoneyberg), Facebook

1 (@derekmoneyberg), Twitter (@derekmoneyberg), LinkedIn (Derek Moneyberg), Spotify (The
2 Derek Moneyberg Podcast), and Apple Podcast (The Derek Moneyberg Podcast).

3 23. Wealthy's YouTube channel, Derek Moneyberg, has approximately 134K
4 subscribers, up from 23.7K subscribers in June 2021, and about 3.3 million views, up from 1.2
5 million in June 2021, according to YouTube. Wealthy's YouTube channel targets an audience
6 interested in self-improvement in the areas of entrepreneurship, finance, business, and real-estate.

7 24. Mr. Buczkowski is focused on growing his entrepreneurship, finance, business, and
8 real-estate focused clientele through Wealthy and the Derek Moneyberg® brand.

9 25. Mr. Buczkowski continues to provide services to his base of over one hundred and
10 fifty clients in the dating and lifestyle niche that he began developing while at Real Social
11 Dynamics, and plans to continue providing programs in that niche after restrictions due to the
12 pandemic are lifted. Mr. Buczkowski has grown his business to over six hundred clients under the
13 Moneyberg® brand.

14 26. Several of Mr. Buczkowski's clients whom he began working with in the dating and
15 lifestyle niche have continued to work with him and Wealthy in the areas of entrepreneurship,
16 finance, business, and real-estate.

17 27. Many of Mr. Buczkowski's clients in the areas of entrepreneurship, finance,
18 business, and real-estate were newly developed by Mr. Buczkowski under the Derek Moneyberg®
19 brand, and did not previously work with Mr. Buczkowski in the dating and lifestyle niche.

JOHN MULVEHILL (A.K.A. JOHN ANTHONY)

21 28. John Mulvehill is a dating and self-improvement coach who markets his services
22 under the brand John Anthony Lifestyle, and goes by the name of John Anthony.

23 29. On information and belief, Mr. Mulvehill is the owner of John Anthony Lifestyle,
24 LLC, and Optimal Lifestyle, LLC, which are companies focused on his teaching of dating and
25 lifestyle concepts aimed at men.

26 30. Mr. Mulvehill acknowledges in the videos discussed below that he views Real
27 Social Dynamics, with which Mr. Buczkowski has been associated, as a direct competitor of his.

28 31. Upon information and belief, Mr. Mulvehill currently resides in Brazil.

1 32. Messrs. Buczkowski and Mulvehill met in 2013 through a mutual acquaintance who
 2 was Mr. Mulvehill's roommate at the time.

3 33. Upon information and belief, Mr. Mulvehill has had a personal vendetta against Mr.
 4 Buczkowski since an encounter the two had in Las Vegas one evening in May 2013.

5 34. Plaintiff Buczkowski and Mr. Mulvehill visited a Las Vegas nightclub that evening.

6 35. Later the same evening, Mr. Mulvehill was involved in an incident as a result of
 7 which Mr. Mulvehill, according to Las Vegas Township Justice Court records, eventually was
 8 arrested and charged with felony counts of: (1) kidnapping, 1st degree; (2) battery to commit
 9 mayhem/robbery/grand larceny; (3) kidnapping, 2nd degree; (4) coercion with force or threat of
 10 force; and (5) four separate misdemeanor counts of open/gross lewdness. A copy of the charging
 11 information for this incident is annexed as Exhibit F.

12 36. Mr. Mulvehill reached out to Mr. Buczkowski after Mr. Mulvehill's arrest requesting
 13 that Mr. Buczkowski testify on his behalf and against the female victim.

14 37. Mr. Buczkowski refused to return Mr. Mulvehill's calls and texts.

15 38. According to an article first published by the Daily Beast in 2015, available at
 16 <https://www.thedailybeast.com/the-pickup-artist-too-sleazy-for-pickup-artists>, Mr. Mulvehill
 17 "pledged to lesser charges of conspiracy to commit coercion and received a one-year suspended
 18 sentence, contingent upon the successful completion of impulse control counseling and a promise
 19 to stay off the Vegas Strip." A copy of the article is annexed as Exhibit G.

20 39. Mr. Mulvehill operates a website www.johnanthonylifestyle.com, and a YouTube
 21 page, entitled The John Anthony Lifestyle.

22 40. The John Anthony Lifestyle YouTube page has 127 K subscribers and just over 7.28
 23 million views, according to YouTube.

24 41. Mr. Mulvehill has since carried out a scorched earth smear campaign against Mr.
 25 Buczkowski and Real Social Dynamics, on the board of which Mr. Buczkowski previously served,
 26 releasing several critical videos on his YouTube channel, John Anthony Lifestyle.

27 42. Mr. Mulvehill has also released several videos attacking the instructors of Real
 28 Social Dynamics, his self-described direct competitor. Mr. Mulvehill has attacked Mr. Buczkowski

as well, including his work with Real Social Dynamics and his more recent work with Wealthy under the Derek Moneyberg® brand.

43. Upon information and belief, Mr. Mulvehill has collaborated with Mr. Cornelia to broaden Mr. Mulvehill's reach and extend his smear campaign to an audience relevant to Wealthy's business, and to market Mr. Mulvehill's own dating and self-improvement business to that audience.

44. Upon information and belief, Mr. Mulvehill owns and operates his dating and lifestyle businesses under John Anthony Lifestyle, LLC, and Optimal Lifestyle, LLC.

MR. MULVEHILL'S SMEAR CAMPAIGN

AGAINST DEREK MONEYBERG

45. In May 2020, Mr. Mulvehill began to release a series of videos containing false, misleading, and defamatory statements about Plaintiffs on his YouTube channel, titled John Anthony Lifestyle.

46. The initial video released on May 10, 2020 by Mr. Mulvehill achieved the most views of this series of videos critical of Plaintiff, reaching 18,430 by June 2020 and a view count of over 21 K views before being taken down:

- Derek Moneyberg (RSD Derek) Exposed. Shady Criminal Past + Terrible Reviews + Fake Results, uploaded May 10, 2020, available at – <https://youtu.be/cV478KH4fw0> ("First JAL Video").

47. Mr. Mulvehill released several other videos critical of Plaintiffs. However, the majority of those videos had received just under six thousand views as of June 2021, including the following videos:

- "DEREK MONEYBERG ROAST REINSTATED!!!!," uploaded Jul 9, 2020, available at – https://youtu.be/S1_9vPRgI4 ("Second JAL Video").
- "Derek Moneyberg (RSD Derek) -- Biggest SCAMMER On Earth," uploaded September 15, 2020, available at – https://youtu.be/FEhqQHntw_M ("Third JAL Video").

- "Derek Moneyberg (RSD Derek) Scam Program Reviews," uploaded Nov. 24, 2020, available at – <https://youtu.be/Pwp6rj1rR1g> ("Fourth JAL Video").
- "Derek Moneyberg Scam Program Review (RSD Derek Review)," uploaded Dec. 22, 2020, available at – <https://youtu.be/gCog2kw6kwo> ("Fifth JAL Video").
- "How Derek Moneyberg Scammed A Guy For 35k | Student Almost Became Homeless (RSD Derek Exposed)," uploaded Dec. 28, 2020, available at – https://youtu.be/8tQx4fn1_cA ("Sixth JAL Video").
- "Derek Moneyberg Racism Against Blacks EXPOSED (with multiple sources) | Brandon Carter Derek Collab?," uploaded Jan. 10, 2021, available at – <https://youtu.be/iy8-wsBGrk0> ("Seventh JAL Video").
- "Derek Moneyberg Instagram FAKE FOLLOWERS EXPOSED (RSD Derek Exposed)," uploaded Feb. 2, 2021, available at – <https://youtu.be/eKzr8-qfK2w> ("Eighth JAL Video").
- "Derek Moneyberg's 3 Busted Girlfriends REVEALED By Insider!," uploaded Mar. 17, 2021, available at – <https://youtu.be/MMdEMam7-KY> ("Ninth JAL Video").
- "Derek Moneyberg Instagram REMOVED!! Fake Followers PUNISHED LMAOOO | RSD Derek," uploaded Feb. 10, 2021, available at – <https://youtu.be/qbqOkKQZ9h8> ("Tenth JAL Video").
- "Showing 3 Death Threats Ordering Me to Delete Derek Moneyberg Videos," uploaded May 13, 2021, available at – https://youtu.be/pBZw_2qRET4 ("Eleventh JAL Video").

21 48. The First through Eleventh JAL Videos were taken down shortly after Mr. Mulvehill
22 received a subpoena dated February 14, 2022 to obtain account information for the John Anthony
23 Lifestyle YouTube channel in the pending lawsuit captioned *Wealthy, Inc et al. v. Spencer Cornelius*
24 *et al.*, Case No.: 2:21-cv-01173-JCM-EJY.

SPENCER CORNELIA

26 49. Spencer Cornelia operates an eponymous YouTube channel with approximately
27 150K subscribers and over 13.8 million views, according to YouTube, where he publishes YouTube
28 videos on a variety of topics including real-estate investing, business, and health & fitness.

1 50. Mr. Cornelia also publishes a series of videos entitled "Authentic or Charlatan" in
 2 which he asserts he seeks to expose "fake gurus on social media."

3 51. Upon information and belief, the YouTube channel is owned and operated by
 4 Cornelia Media LLC and/or Mr. Cornelia.

5 52. The "About" page for Mr. Cornelia's YouTube channel states "[t]he theme of the
 6 channel is to uncover truths that the world may struggle to notice."

7 53. Mr. Cornelia's "About" page provides links to his other social media sites: Patreon
 8 (Spencer Cornelia), Instagram (@spencercornelia1), Facebook (spencer.cornelia), LinkedIn
 9 (spencercornelia), and TikTok (spencercornelia).

10 54. Mr. Cornelia collaborated with Defendants, e.g., John Mulvehill (a.k.a. John
 11 Anthony), to produce a series of YouTube videos in the "Authentic or Charlatan" series that target
 12 Wealthy's business, Mr. Buczkowski, and the Derek Moneyberg® brand with false and defamatory
 13 statements that are at the core of this lawsuit.

14 **DEFENDANTS' FALSE AND DEFAMATORY VIDEOS MADE IN**
 15 **CONJUNCTION WITH SPENCER CORNELIA**

16 55. Between December 2020 and February 2021, Defendants, in collaboration with Mr.
 17 Cornelia, produced at least two videos released on Mr. Cornelia's YouTube channel containing
 18 false and defamatory statements about Mr. Buczkowski and the Derek Moneyberg® brand:

- 19 • "Authentic or Charlatan: Derek Moneyberg |RSD Derek", uploaded December 19, 2020,
 20 available at – <https://youtu.be/47X1P03F-Is> – (approximately 30.2K views as of June 7,
 21 2021) ("First Cornelia Video"); and
- 22 • "Derek Moneyberg - Fake Guru?", uploaded February 19, 2021, available at –
 23 <https://youtu.be/hg44-wFMaQg> – (approximately 15.2K views as of June 7, 2021)
 24 ("Second Cornelia Video").

25 56. The First and Second Cornelia Videos involve Mr. Cornelia ("[SC]") interviewing
 26 Mr. Mulvehill ("[JM]").

27 57. The First and Second Cornelia Videos include false and defamatory statements
 28 which are neither matters of opinion nor based on disputed anonymous accounts of potential

1 witnesses, but are unqualified and provably false statements of fact. These statements made by
 2 Defendants in the First and Second Cornelia Videos and published by Mr. Cornelia are among the
 3 subjects of this lawsuit.

4 58. These false and defamatory statements include at least the following factual
 5 assertions that Mr. Buczkowski: (1) lied about his educational achievement; (2) laundered money;
 6 (3) manufactured and/or sold illegal drugs; (4) framed Mr. Mulvehill for his 2013 arrest in Las
 7 Vegas, leading to four felony and four misdemeanor charges; and (5) was involved in the death of
 8 the woman who was the alleged victim in the arrest of Mr. Mulvehill.

9 59. On information and belief, Defendants first made each of these false and defamatory
 10 statements to Mr. Cornelia before and/or during their recording of the First and Second Cornelia
 11 Videos, and prior to the publication of those videos with the reasonable expectation that Mr.
 12 Cornelia would publish those videos on his YouTube channel.

13 60. The First and Second Cornelia Videos include the following assertions that Mr. Buczkowski
 14 lied about his educational achievement:

- 15 • "[JM:] I'm Derek Moneyberg, I have this University of Chicago degree OK which is not
 16 even true . . ." (First Cornelia Video at 1:57–2:02).
- 17 • "[JM:] Yeah, he also like even his credentials, like someone said in one of the YouTube
 18 comments they provided proof that like that he never went to, like, you know, he never
 19 attended Chicago Business School, he did like some kind of online thing." (Second
 20 Cornelia Video at 9:34–9:46).
- 21 • "[JM:] He just repackaged content, and then made it out, he made himself out to be some
 22 kind of genius because he studied business but he doesn't have a real . . . uh, he never
 23 actually went to University of Chicago." (Second Cornelia Video at 19:31–41).
- 24 • "[JM:] He's always saying like, well I have this Ivy League degree and he didn't attend
 25 Chicago Business School, some online thing." (Second Cornelia Video at 31:23–31:31).

26 61. The assertion that Mr. Buczkowski lied about his level of educational achievement
 27 is false.

1 62. Mr. Buczkowski obtained an MBA from the University of Chicago Booth School
 2 of Business in 2015. *See Exhibit A.*

3 63. Mr. Buczkowski also received an award from the University of Chicago Booth
 4 School of Business entitled the Dean's Prize for Building the Chicago Booth Brand. *See Exhibits*
 5 *B-D.*

6 64. The Second Cornelia Video includes the following assertions that Mr. Buczkowski
 7 laundered money:

- 8 • "[JM:] He has listed like that he had a business called like Larson Consulting which,
 9 which has like no you know substance behind it online, but it looks very well like it could
 10 be a front. [SC:] Yeah the address is right down the street from my house here too in
 11 Vegas. [JM:] It looks, it looks very well it could be a front for laundering money."
 12 (Second Cornelia Video at 7:11–7:30).

13 65. The assertion that Mr. Buczkowski engaged in money laundering through his Larson
 14 Consulting business is false.

15 66. The assertion that Mr. Buczkowski engaged in money laundering appears to be
 16 based on nothing other than wild speculation by Mr. Mulvehill.

17 67. The Second Cornelia Video includes the following assertions that Mr. Buczkowski
 18 manufactured and/or sold illegal drugs:

- 19 • "[SC:] That's shady yeah so the next note on my notes is the drug house. So you believe,
 20 well I guess with public record. He must have been running a drug operation, if it's a
 21 house tied to him, it was a house purchased using drug money. Is there any reason to
 22 believe that it was him running a drug operation. Do you think that's how he made his
 23 money. [JM:] I don't I don't know the details. I know, I know he was. He has listed like
 24 that he had a business called like Larson Consulting which, which has like no you know
 25 substance behind it online, but it looks very well like it could be. [SC:] Yeah the address
 26 is right down the street from my house here too in Vegas. [JM:] It looks, it looks very
 27 well it could be a front for laundering money. " (Second Video at 6:45–7:31).

1 • "[JM:] He has like a lengthy arrest record where he was involved with, you know
 2 property forfeiture for manufacturing illegal drugs, for battery, all kinds of ... [SC:] it's
 3 public record too like it's known it's public. [JM:] Yeah, yeah and yeah and he's tried to
 4 hide all of it." (Second Video at 1:03–1:19).

5 68. The assertion that Mr. Buczkowski engaged in illicit drug manufacture and/or sale
 6 is false.

7 69. The assertion that Mr. Buczkowski engaged in illicit drug manufacture and/or sale
 8 appears to be based entirely on speculation by Defendants and Mr. Mulvehill about a prior litigation
 9 involving asset forfeiture of property owned by Mr. Buczkowski's deceased grandmother, in which
 10 Mr. Buczkowski temporarily served as the executor of the estate. The litigation in question was
 11 resolved without any finding of wrongdoing by Mr. Buczkowski following a decision by the Court
 12 of Appeals for the Eighth Circuit which reversed a decision of the District Court striking claims by
 13 the estate as untimely, *U.S. v. Real Properties Located at 7215 Longboat*, 750 F.3d 968 (8th Cir.
 14 2014).

15 70. Mr. Buczkowski has never been arrested for a drug crime, much less charged with
 16 or convicted of a drug crime.

17 71. The First and Second Cornelia Videos include the following assertions that Mr.
 18 Buczkowski framed Mr. Mulvehill for his 2013 arrest in Las Vegas, leading to four felony and four
 19 misdemeanor charges:

20 • "[JM:] That's why I don't give a fuck I'm saying all this stuff, they came out to me trying
 21 to set me up for an arrest and pass the pass which we'll discuss in another video that
 22 motherfucker." (First Video at 10:44–54).

23 • "[JM:] I've never been accused or charged with rape that situation with Derek did not
 24 involve any sex in the case or any kind of rape accusation. So, you know, like, it's very,
 25 very frustrating that they'll play like as low and dirty as they possibly can. Even to the
 26 point of setting people up for arrests, even in the point of using intimidation and bullying
 27 and threats, and all this stuff." (Second Video at 14:51–15:14).

1 • "[JM:] Yeah, I actually got arrested. My only time I've ever been arrested in my life was
 2 hanging out with this motherfucker one on one, okay he is like one of the worst human
 3 beings I've ever met. I didn't know at the time, but he was using aliases, okay. His real
 4 name is Dale Buczkowski. He goes by the alias, he was going by the alias RSD Derek
 5 had his face hidden everything, we can show you. I'll send you a picture of when he came
 6 to visit me in Vegas, basically I got a text and said, Hey, I'm coming to Vegas. Don't,
 7 don't let anyone know I'm in town, I'll explain later, okay never explained, without going
 8 into all the details of what happened, you know, it's, it's very obvious that he was
 9 involved there." (Second Video at 0:16–0:53).

10 • "[SC:] At the time of your arrest for a guy that's been in this dating world for so long
 11 you've had basically one night, that ended in an arrest and it happened to be with Derek,
 12 or Dale is his real name. [JM:] And were one-on-one as well. [SC:] You were one-on-
 13 one and there I know there was a lot of shady stuff too where he disappeared. He changed
 14 his number or something, and then it's like he's your friend he's hanging out with you and
 15 you get arrested and then he's gone. [JM:] He was using a burner phone, and he was using
 16 an alias at that time. And he claimed to not know the girls that we approached, and then
 17 it turns out that one of the main girls in the group was working like a block from where
 18 he lives in Chicago, and then that girl ended up dead." (Second Video at 5:45–6:45).

19 72. The assertion that Mr. Buczkowski framed Mr. Mulvehill for Mr. Mulvehill's 2013
 20 arrest involving four felony and four misdemeanor charges is false and is based solely on
 21 speculation by Mr. Mulvehill.

22 73. The Second Cornelia Video includes the following assertions that Mr. Buczkowski
 23 was involved in the death of the woman who was the alleged victim in the arrest of Mr. Mulvehill:

24 • "[JM:] That girl a 28 year old, living in Las Vegas who's like the primary witness in the
 25 case ended up dead, and I couldn't find the cause of death I searched for it. 28 doesn't
 26 make much sense. [SC:] Wow, that was really bizarre. [JM:] That was the link to him."
 27 (Second Video at 5:45–6:45).

1 • In reply to a comment on the Second Video's YouTube page stating the following: "And
 2 then that girl ended up dead' Whoa that escalated quickly. RIP"; Mr. Cornelia stated
 3 "looked up the women in Clark County records and she definitely passed. Tried to find
 4 the cause of death but they required a lawyer's consent in order to attain those
 5 documents."

6 74. The assertion that Mr. Buczkowski was involved in the death of the woman who
 7 was the alleged victim in the arrest of Mr. Mulvehill for four felony and four misdemeanor charges
 8 is false.

9 75. Mr. Buczkowski did not know the woman before the night in question, and did not
 10 have any further contact with the woman afterward.

11 76. The assertions that Mr. Buczkowski (a) framed Mr. Mulvehill for his 2013 arrest
 12 and (b) was involved in the death of the alleged victim appear to have been made by Mr. Mulvehill
 13 in an effort to absolve himself for his own actions in connection with which he was charged by the
 14 authorities with (1) kidnapping, 1st degree; (2) battery to commit mayhem/robbery/grand larceny;
 15 (3) kidnapping, 2nd degree; (4) coercion with force or threat of force; and four separate
 16 misdemeanor counts of open/gross lewdness.

17 77. In addition to the above false and defamatory statements, Mr. Mulvehill made
 18 several additional statements that were asserted to be made by former clients and/or former
 19 colleagues of Plaintiffs to Mr. Mulvehill, and which Mr. Mulvehill relayed to Mr. Cornelia.

20 78. These additional statements are also false, defamatory and/or misleading, and
 21 which, even if they were first uttered by third parties, were published by Defendants in a manner
 22 that is at least misleading, if not false and defamatory in their own right.

23 79. These additional statements include, among others, assertions that Mr. Buczkowski
 24 (1) engaged in illegal activity in helping his clients obtain credit; (2) did not author any of his own
 25 content; and (3) coerced his clients to provide testimonials.

26 80. These additional statements were provided without any context and were made to
 27 seem more credible due to the false and defamatory statements discussed above, namely the
 28 assertions that Mr. Buczkowski (1) lied about his educational achievement; (2) laundered money;

1 (3) manufactured and/or sold illegal drugs; (4) framed Mr. Mulvehill for his 2013 arrest in Las
 2 Vegas, leading to four felony and four misdemeanor charges; and (5) was involved in the death of
 3 the woman who was the alleged victim in the arrest of Mr. Mulvehill.

4 81. Mr. Mulvehill's statements about Plaintiffs in the First and Second Cornelia Videos
 5 and his conversation with Mr. Cornelia in the lead up to making those videos further demonstrate
 6 his reckless disregard for the truth, and actual malice.

7 82. Mr. Mulvehill's statements regarding Mr. Buczkowski, Wealthy and the Derek
 8 Moneyberg® brand are full of vitriolic language, including his concluding remarks on the First
 9 Cornelia Video in which Mr. Mulvehill gestured toward his fist and stated about Mr. Buczkowski:
 10 "This is what that motherfucker needs right in his motherfuckin' nose the brass knuckles." (First
 11 Cornelia Video at 18:50–18:54)

12 83. Mr. Mulvehill's reckless disregard for the truth is demonstrated by his failure to
 13 properly investigate the charges he made, his motivation to compete with Mr. Buczkowski in the
 14 dating and lifestyle niche, his anger at Mr. Buczkowski for not testifying on his behalf regarding
 15 Mr. Mulvehill's 2013 arrest involving four felony and four misdemeanor charges, and by Mr.
 16 Mulvehill's vitriolic language throughout the First and Second Cornelia Videos.

17 84. Mr. Mulvehill's remarks under the circumstances noted above, and his collaboration
 18 with Mr. Cornelia which foreseeably led to Mr. Cornelia publishing the videos on his own channel,
 19 exhibited negligence and/or reckless disregard for the truth.

20 85. The First through EleventhJAL Videos that Mr. Mulvehill published on his own
 21 YouTube channel, The John Anthony Lifestyle, contain similar false and defamatory statements
 22 against Plaintiffs.

23 86. Defendants' promoted their services on Mr. Cornelia's channel as shown by the
 24 following passages:

25 • "[JM:] Very much appreciate it. Yeah, for those of you that want real dating advice, John
 26 Anthony Lifestyle, on YouTube, Platinum dating system as I mentioned earlier ..." (First
 27 Video at 15:08–15:18).

1 • "[SC:] Okay, but, but yeah. Thanks everyone for watching. Thanks John for coming on.
 2 [JM:] Yeah, thanks for having me. So yeah, check out John Anthony Lifestyle YouTube,
 3 and platinum dating system dot com. I've got a whole ton of free content on YouTube as
 4 well to get your feet wet with the dating stuff that's very real and practical advice. So,
 5 but yeah, Thanks for having me. It was fun." (Second Video at 35:36–35:54).

6 87. Mr. Mulvehill further promoted his services by requesting that Mr. Cornelia provide
 7 links from his videos to John Anthony Lifestyle's website, YouTube channel, and the program
 8 entitled "Platinum Dating System."

9 88. Defendants compete directly with Mr. Buczkowski in providing dating and lifestyle
 10 advice, and directly with Wealthy and the Derek Moneyberg® brand in the area of lifestyle
 11 improvement.

12 89. Defendants compete indirectly with Wealthy and the Derek Moneyberg® brand in
 13 that many clients interested in the dating and lifestyle improvement niches tend to overlap with
 14 clients interested in the entrepreneurship, finance, business, and real-estate niches.

15 90. Mr. Mulvehill greatly expanded his reach through his collaboration with Mr.
 16 Cornelia, which Mr. Mulvehill acknowledged in the First Cornelia Video, stating: "But yeah, I
 17 really appreciate you bringing me on here you have more reach than my channel ... I like that you're,
 18 you're going to take these guys on, so yeah, ... I definitely go more head on, you're more objective
 19 and shit, and explore both sides there's no other side here." (First Cornelia Video at 17:02–17:17).

20 91. Plaintiffs have suffered significant harm as a result of Defendants' false and
 21 defamatory statements due to the nature of the false assertions involving deceit and illegal activity.

22 92. Plaintiffs have suffered significant harm as a result of Defendants' false and
 23 defamatory statements through verbal and written cancellations, and declination of contracts for
 24 services.

25 93. Plaintiffs observed shortly after the release of the First Cornelia Video, a significant
 26 loss in clients resulting in lost revenue on the order of \$5.3 million in total lifetime value of those
 27 clients.

1 94. Defendants in the Second Cornelia Video admit that Plaintiffs' clients pay up to
 2 \$75,000 per program for Wealthy's 1-on-1 coaching:

3 • "[JM:] So even as like a \$75,000 weekend training with him personally, for a weekend .
 4 . . [SC:] that might be the most expensive fake guru course." (Second Video at 1:47–
 5 1:54).

6 • "[SC:] You mentioned earlier 75,000 for a business training like I mean dude, you better
 7 be a VC with connections in Silicon Valley. [JM:] A weekend, that's for a weekend, and
 8 it's funny because I don't really watch much of his videos." (Second Video at 16:20–
 9 16:32).

10 • "[SC:] When I see Derek Moneyberg, I'm like, wait a second, and I rarely comment on
 11 people's physical appearance, I think that's a low blow, but I think in this case, it is fair,
 12 when you're trying to charge 75,000 for a business course and you dress like a bum. Your
 13 hair is like hideous, and he just, he does not present himself as what he is trying to be the
 14 image he's trying to portray." (Second Video at 17:19–17:42).

15 • "[JM:] So, I can teach them like an hour. So, you know, if they're just, they're just really
 16 like upping the stakes on the scamming. Why not, you know, why not charge
 17 75k for a weekend, why not. [SC:] If so, if you're a sociopath, and you have no empathy,
 18 why not charge the most if people want to pay it, why not, but that's the problem is these
 19 people have a certain mix of personality traits that form this concoction of, I don't want
 20 to say, evil, but in a way it is like you're just taking people's money and not delivering at
 21 all." (Second Video at 34:00–34:27).

22 95. Further, the false and defamatory videos have been used by those seeking to spread
 23 negative commentary about the Plaintiffs. The First Cornelia Video was posted in a comment on
 24 an October 22, 2020 Facebook Post on the Derek Moneyberg® page advertising One-on-One
 25 consulting calls, where the commenter stated: "For anyone who's looking to be a victim of Dale
 26 Buczowski (aka Derek Moneyberg), please watch this first - <https://youtube/watch?v=47X1P03F-1s>." A copy of this comment is annexed as Exhibit H.

1 96. Since the Defendants' and Mr. Cornelia's publication of the false and defamatory
 2 videos, Plaintiffs have received reports from their clients and potential clients that they have been
 3 contacted on Instagram by accounts with zero posts or followers that repeat the false and
 4 defamatory assertions published by Defendants. A copy of a comment by such an account named
 5 "dale_buczkowski" is annexed as Exhibit I.

6 97. On information and belief, images widely published by Defendants as the thumbnail
 7 and main images for the First and Second Cornelia Videos have been used by at least one account
 8 on Twitter entitled "Derek Moneyberg Hate Account" at the "@moneyberg_hate" Twitter address,
 9 which was created on April 2021. A copy of the Derek Moneyberg Hate Account showing this
 10 image is annexed as Exhibit J. A copy of the thumbnail images used in the First and Second
 11 Cornelia Videos is annexed as Exhibit K.

12 98. In addition to monetary harm, the false and defamatory statements in Defendants'
 13 videos have caused Mr. Buczkowski severe emotional distress.

14 99. Mr. Buczkowski grew up in difficult circumstances. He has spent much of his adult
 15 life distancing himself from the criminal environment of his childhood, where both his father and
 16 his uncle were convicted and incarcerated for drug-related crimes.

17 100. A large part of improving his life and distancing himself from his childhood
 18 environment involved achieving great academic success, including earning an MBA from the
 19 prestigious Chicago Booth School of Business and an undergraduate degree from Bradley
 20 University with academic honors.

21 101. Mr. Mulvehill's false and defamatory statements about Mr. Buczkowski's level of
 22 educational achievement and involvement with illegal activities brought back terrible emotional
 23 and childhood trauma for Mr. Buczkowski.

24 102. Aside from losing clients as a result of the defendants' false statements alleged in
 25 this Complaint, Mr. Buczkowski has endured significant mental anguish, including anxiety,
 26 tension, lost sleep and overeating as a result of Mr. Mulvehill's false and defamatory statements.

CLAIMS FOR RELIEF

AS AND FOR A FIRST CLAIM

**UNFAIR COMPETITION AND FALSE ADVERTISING
UNDER THE LANHAM ACT, 15 U.S.C. § 1125 *et seq.***

103. Plaintiffs incorporate the preceding paragraphs as though set forth at length.

104. The statements made and published by Defendants and set forth above were false, misleading, and defamatory.

105. Defendants' publication of false, misleading, and defamatory statements regarding Mr. Buczkowski, the Derek Moneyberg® brand and Wealthy's products and services, and of other false and misleading statements praising the products, programs, and plans with which Defendants are affiliated and/or receive compensation from, constitutes unfair competition and/or false advertising.

106. The social media channels of Defendants and Mr. Cornelia purport to serve as an independent review that provides viewers with an objective resource, but actually are conduits for the promotion of products, programs, and plans with which Defendants are affiliated and/or from which they receive compensation.

107. Plaintiffs and Defendants compete with each other through the lifestyle self-improvement niche.

108. In promoting those other products, programs, and plans, and disparaging Mr. Buczkowski, the Derek Moneyberg® brand and Wealthy's products and services, Defendants are making false and misleading statements about Wealthy's products and services, including but not limited to the statements alleged herein.

109. Defendants' false and misleading statements are material, in that they deceive, and are likely to deceive, customers and potential customers of Plaintiffs and adversely influence their purchasing decisions.

110. Defendants' false and misleading statements were made on the internet and published to tens of thousands of potential customers throughout the United States and beyond, and therefore were made in interstate commerce.

111. Defendants' false and misleading statements are likely to cause and have caused competitive commercial injury to Plaintiffs, including the lost sales mentioned herein.

112. Defendants' acts constitute willful, deliberate, false, and misleading representations of fact as to the nature and characteristics of Wealthy's services in violation of 15 U.S.C. § 1125(a)(1)(B).

AS AND FOR A SECOND CLAIM

DEFAMATION

113. Plaintiffs incorporate the preceding paragraphs as though set forth at length.

114. The statements about Plaintiffs published and made by Defendants that are set forth above were false and defamatory.

115. The statements were published by Defendants to many people on YouTube who would have had no way of judging the veracity of those claims.

116. On information and belief, at the time Defendants published the above-mentioned statements, they knew that the statements concerning Mr. Buczkowski, the Derek Moneyberg® brand and Wealthy's products and services were totally false or, in any event, that Defendants' false statements were made with an utter and reckless disregard of their truth or falsity.

117. Defendants' false and defamatory statements have severely injured Plaintiffs, in that they have tended to blacken and besmirch (a) Mr. Buczkowski's reputation, (b) Wealthy, and (c) the Derek Moneyberg® brand.

118. Each of the complained-of defamatory statements was understood by third parties to pertain to, and to defame Plaintiffs.

119. The statements made by Defendants concerning Plaintiffs and set out above were made with malice, because Defendants published the statements with intent to cause harm to Plaintiffs and with knowledge of their falsity, or because Defendants made the statements with reckless disregard for whether or not they were true.

120. Defendants' defamatory publication of the complained-of statements was so outrageous and malicious as to warrant the imposition of punitive damages.

1 121. As a proximate result of Defendants' malicious, intentional, or reckless conduct as
2 set forth above, Plaintiffs are entitled to such damages as will compensate them for the injury to
3 their professional reputations and lost income, and for punitive damages as well to punish
4 Defendants for their conduct and deter Defendants and others similarly situated from like acts in
5 the future.

AS AND FOR A THIRD CLAIM

INTENTIONAL INFILCTION OF EMOTIONAL DISTRESS

122. Plaintiffs incorporate the preceding paragraphs as though set forth at length.

9 123. Defendants committed the acts and made the statements alleged previously with the
10 intention of, or with reckless disregard for the possibility of, causing severe or extreme emotional
11 distress to Plaintiff Buczkowski.

12 124. Plaintiff Buczkowski suffered severe or extreme emotional distress as a proximate
13 consequence of the acts and statements of Defendants alleged previously.

14 125. By reason of the foregoing, Plaintiff Buczkowski is entitled to actual damages for
15 his emotional distress caused by Defendants' statements and acts complained of as well as punitive
16 damages.

AS AND FOR A FOURTH CLAIM

BUSINESS DISPARAGEMENT

126. Plaintiffs incorporate the preceding paragraphs as though set forth at length.

20 127. The statements made and published by Defendants concerning Plaintiffs and set out
21 above were false and disparaging.

22 128. The statements made by Defendants and set out above were understood by third
23 parties to pertain to and to disparage Plaintiffs.

24 129. The statements made by Defendants concerning Plaintiffs and set out above were
25 made with malice, because Defendants published the statements with intent to cause harm to
26 Plaintiffs and with knowledge of their falsity, or because Defendants made the statements with
27 reckless disregard for whether or not they were true.

130. As the proximate result of Defendants' publication of the statements set out above, Plaintiffs suffered pecuniary loss and also suffered a general decline in their business and income.

PRAYER FOR RELIEF

WHEREFORE, based on the foregoing, Plaintiffs pray for relief as follows:

1. For a declaratory judgment that:

- a. Defendants engaged in false advertising in violation of Section 43 of the Lanham Act, 15 U.S.C. § 1125 *et seq.*;
- b. Defendants defamed Plaintiffs under common law;
- c. Defendants intentionally inflicted emotional distress on Plaintiff Buczkowski; and
- d. Defendants disparaged Plaintiffs' business under common law;

2. That the Court enter judgment against Defendants that acts they committed as set forth in this Complaint were willful, making this an exceptional case;

3. That the Court issue a preliminary and permanent injunction enjoining and restraining Defendants and their agents, servants, employees, successors, assigns, and all other persons acting in concert or in conspiracy with or affiliated with Defendants, from:

- e. Engaging in false advertising concerning Plaintiffs;
- f. Engaging in further defamation of Plaintiffs;
- g. Engaging in further infliction of emotional distress on Plaintiff Buczkowski; and
- h. Engaging in further business disparagement of Plaintiffs' business;

4. That the Court enter judgment against Defendants for compensatory, consequential, and/or incidental damages in an amount not less than Six Million Dollars (\$6,000,000.00);

5. That Defendants be ordered to account for and disgorge to Plaintiffs all amounts by which Defendants have been unjustly enriched by reason of the unlawful acts complained of herein;

6. That Plaintiffs be awarded exemplary or punitive damages against Defendants in an amount appropriate to punish Defendants and to make an example of Defendants to the community;

7. That Plaintiffs be awarded an amount sufficient to reimburse Plaintiffs for the costs of corrective advertising;

8. That Plaintiffs be awarded pre-judgment interest on all appropriate damages;

9. That Plaintiffs be awarded reasonable attorneys' fees and costs incurred in this action; and

10. For such other and further relief at law or in equity which the Court deems proper.

DEMAND FOR JURY TRIAL

Plaintiffs hereby demand a jury trial as provided by Rule 38(a) of the Federal Rules of Civil Procedure.

Respectfully submitted this 9th day of May, 2022.

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